Each routine facility inspection is documented using the form provided in **Appendix 4**. The form has been revised to ensure it includes the requirements stated in section 3.1.2 of the permit. The form shall include the types of problems encountered, notifications and recommendations for stormwater pollution prevention improvement.

If a deficiency is identified, it will be indicated in the inspection sheet and will also be immediately informed to the Plant Environmental Engineer. Corrective action required as a result of these inspections will be performed consistent with section 9.0 of this document.

All documentation generated regarding the routine facility inspections will be maintained and handled according to the requirement of the permit, as stated in section 10.0 of this document.

6.2 Visual Assessment of Stormwater Discharges

Quarterly Visual Assessment requires a visual examination of a sample of discharges from all outfalls (or substantially identical outfalls) during a measurable storm event occurring during normal working hours. Quarterly Visual Assessment of stormwater discharges must be performed at least once in the following 3-month intervals:

Quarter 1: January 1 – March 31
Quarter 2: April 1 – June 30
Quarter 3: July 1 – September 30
Quarter 4: October 1 – December 31

The visual examination is based on samples collected at each discharge point during the first 30 minutes of a measurable storm event. If it is not possible to collect the sample within the first 30 minutes of a measurable storm event, the sample must be collected as soon as practicable after the first 30 minutes and it will be documented why it was not possible to take the sample within the first 30 minutes.

The discharge selected for visual assessment must occur at least 72 hours from the previous discharge. That is to say that there must be three days with no discharge prior to obtaining the samples for visual examination. This 72-hour interval does not apply if it can be documented that less than a 72-hour interval is representative for local storm events during the sampling period.

The sample must be collected in a clean container. It must be examined in a clear, colorless glass or plastic container and in a well-lit area. The inspector must observe the following water quality characteristics:

- color
- odor
- clarity (diminished)
- floating solids
- settled solids
- suspended solids
- foam
- oil sheen
- other obvious indicators of stormwater pollution

Any visual assessment that shows evidence of stormwater pollution will initiate a corrective action to investigate and eliminate the source of the pollution.

6.2.1 Quarterly Visual Assessment Documentation

The documentation for the quarterly visual assessment includes the following information:

- Sample location(s);
- Sample collection date and time, and visual assessment date and time for each sample;
- Personnel collecting the sample and performing visual assessment, and their signatures;
- Nature of the discharge (i.e., runoff or snowmelt);
- Results of observations of the stormwater discharge;
- Probable sources of any observed stormwater contamination;
- If applicable, why it was not possible to take samples within the first 30 minutes; and
- A statement signed and certified in accordance with Appendix B, Subsection 11.

Appendix 5 includes a form may be used to document the quarterly visual examination. All reports or forms completed for the Quarterly Visual Monitoring will be maintained and handled according to section 9.0 of this document.

6.2.2 Deviation from Quarterly Monitoring

There are several exceptions that can be considered as an exception to visual assessments, as described below:

1. Limited rainfall: In the case that little to no rain event is registered during a particular three-month period, a certification must be completed to indicate why there were no monitoring records during said period.
2. Adverse weather conditions: Adverse weather conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, electrical storms or situations that otherwise make sampling impractical. In this case a substitute sample must be taken during the next qualifying storm event. Documentation of the rationale for no visual assessment for the quarter must be included in the records.

Appendix 5 includes a form to document deviation from the monthly or quarterly monitoring requirement due to no rain events or adverse weather conditions. This form, once completed, will be maintained and handled according to section 10.0 of this document.

6.2.3 Reporting Results

The results of the Quarterly Visual Assessment are not required to be submitted to the permitting authority, unless otherwise requested. The results of the Quarterly Visual Assessment will be retained on file for future reference and will be handled as described in section 10.0 of this document.

6.3 Measurable Storm Event

The Quarterly Visual Assessment and all monitoring sample collections must be performed during a storm event that results in an actual discharge from the site and follows the preceding measurable storm event by at least 72 hours (3 days). For each monitoring event, the following must be documented:

- Date and duration of rainfall event (in hours)
- Rainfall total (in inches)
- Time since previous measurable storm event (in days)

In order to maintain a register of measurable storm events, ESJI utilizes a weather station that records all rain events at the site and creates a log. The data is automatically transferred into a computer for use as future reference. ESJI's SWPPP coordinator, or qualified designee, will monitor rain events during each trimester. Once a measurable storm event is identified, the ESJI personnel will proceed to make the required sample collection or inspections.

If ESJI is unable to collect samples within a specified sampling period due to adverse climatic conditions or lack of qualifying rain events, ESJI may collect a substitute sample from a separate qualifying event in the next period and submit the data along the routine sample in that period. Adverse weather conditions include weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.).

The records of measurable storm events will be maintained for reference purposes. All reports or forms will be maintained and handled according to section 10.0 of this document.

7.0 Monitoring

The following analytical monitoring activities are applicable to the ESJI facility under MSGP 2015 permit coverage:

☒ Benchmark monitoring

☒ Effluent limitations guidelines monitoring

☐ State- or tribal-specific monitoring

☒ Impaired waters monitoring

☐ Other monitoring required by EPA

The following sections describe the procedures associated to these monitoring activities.

7.1 Benchmark Monitoring

ESJI's primary industrial activity at the Quarry site corresponds to Standard Industrial Classification (SIC) number of 1422, Crushed and Broken Stone, Including Rip Rap. This places the facility under MSGP Sector J – Mineral Mining and Dressing, Subsector J2, which is subject to Sector-Specific benchmarks monitoring. The parameters to be monitored by Essroc under the requirements of Sector J are listed in Table 4 below.

Table 5. Benchmark Monitoring Parameters

Subsector	Parameter	Benchmark Monitoring Cutoff Concentration
Subsector J2. Dimensions and Crushed Stone and Nonmetallic Minerals (except fuels) (SIC 1411, 1422-1429, 1481, 1499)	Total Suspended solids (TSS)	100 mg/L

In compliance with the established Consent Decree, ESJI shall conduct benchmark monitoring on a monthly basis (instead of quarterly as stated in the MSGP 2015 permit) for the first year of permit coverage. Following the first year of permit coverage, ESJI shall continue monthly Benchmark monitoring until it has four continuous months of monitoring that are below the pollutant benchmarks.

Monitoring period will begin in the first full quarter following either September 2, 2015 or the date of discharge authorization, whichever date comes later. ESJI will analyze a minimum of one grab sample, collected within the first 30 minutes of a measureable storm event.

If any of the benchmark concentrations are exceeded then ESJI must, in accordance with Part 3.2 of the permit, review the selection, design, installation and implementation of its control measures and modify its SWPPP and implement sufficient control measures to meet the benchmark concentration. SWPPP modifications and certification that the SWPPP changes have been implemented must be submitted in ESJI's quarterly reports.

All benchmark monitoring results are to be submitted to the EPA in the q
uarterly monitoring reports and in accordance with the MSGP 2015 (see section 6.2.1).

7.2 Numeric Effluent Limitation Based on Effluent Limitation Guidelines

Stormwater discharges at ESJI Quarry are also subject to effluent limitation guidelines under Sector J. Monitoring period for effluent limitation guidelines will begin in the first full quarter following either September 2, 2015 or the date of discharge authorization, whichever date comes later. ESJI will analyze a minimum of one grab sample for each outfall containing discharges from material storage piles, to be monitored once a year for the parameters listed in Table 5.

Table 6. Effluent Limitations Monitoring Parameters

Industrial Activity	Parameter	Effluent Limit
Mine dewatering discharges at crushed stone mining facilities (SIC 1422-1429)	pH	6.0 - 9.0 s.u.

If these parameters are exceeded, ESJI will follow the corrective action procedure and perform a follow-up monitoring within 30 calendar days of implementing corrective actions.

If this follow-up monitoring again exceeds the applicable limitation, an exceedance report must be submitted within 30 days of having received the lab results. Monitoring will be continued, on a quarterly basis, until the discharge is in compliance with the limits established by the permit or until the EPA waives such additional monitoring requirement. The exceedance report will include the following items:

- NPDES permit tracking number,
- facility name, physical address and location,
- name of receiving water,
- monitoring data from this and the preceding monitoring event(s)

- An explanation of the situation, what has been or will be done to correct the violation
- Appropriate contact name and phone number

7.3 Water Quality-based Effluent Limitations and Water Quality Standards

Local water quality standards are established by the Environmental Quality Board under the Puerto Rico Water Quality Standards Regulation, issued March 2010. Section 1302.2 classifies surface waters, such as the Lajas River, as SD. These waters are described as "surface waters intended for use as a raw source of public water supply, propagation and preservation of desirable species, including threatened or endangered species, as well as primary and secondary contact recreation." A summary of the general standards for all waters and SD class surface waters are listed in the tables below.

Table 7. Summary of General Quality Standards for All Waters

Parameter	Limit
Solids and Other Matter	The waters of Puerto Rico shall not contain floating debris, scum or other floating materials attributable to discharges in amounts sufficient to be unsightly or deleterious to the existing or designated uses of the water body.
Color, Odor, Taste and Turbidity	The waters of Puerto Rico shall be free from color, odor, taste or turbidity attributable to discharges in such a degree as to create a nuisance to the enjoyment of the existing or designated uses of the water body.
Radioactive Materials	In the waters of Puerto Rico the concentration of Radium-226 and Strontium-90 shall not exceed 3 and 10 picocuries per liter respectively. In the absence of Strontim-90 and alpha emitters, the gross beta concentration shall not exceed 1,000 picocuries per liter.
Temperature	• No heat may be added to the waters of Puerto Rico which would cause the temperature of any site to exceed 90°F or 32.2°C. • No thermal discharge or combination of thermal discharges into or onto the surface, estuarine and coastal waters shall be injurious to aquatic life or the culture or propagation of a balanced indigenous population there of nor in anyway affect the designated uses.
Suspended, Colloidal or Settleable Solids	Solids from wastewater sources shall not cause deposition in or be deleterious to the existing or designated used of the water body.
Biochemical Oxygen Demand	Determined on a case by case basis
Asbestos	≤ 7 MFL (million fibers per liter)
Oil and Grease	The waters of Puerto Rico shall be substantially free from floating non-petroleum oils and greases as well as petroleum derived oils and greases.
Substances in Toxic Concentrations and Synergistic Toxic Effects	See details in the WQS regulation for discharges containing: • Inorganic Substances • Pesticides • Non-Pesticide Organic Substances and Carbon Tetrachloride • Volatile Organic Substances • Semi-Volatile Organic Substances

Table 8. Summary of Quality Standards for SD Classification of Surface Waters

Parameter	Limit
Dissolved Oxygen (DO)	≥ 5.0 mg/L
Total Coliforms	10,000 colonies/100 mL
Fecal Coliforms	200 colonies/100 mL
pH	6.0 ‹ x ‹ 9.0
Color	≤ 15 units
Turbidity	≤ 50 NTU
Total Dissolved Solids (TDS)	≤ 500 mg/L
Taste or Odor Producing Substances	Shall not be present in amounts that will interfere with the use for potable water supply, or will render any undesirable taste or odor to edible aquatic life.
Total Phosphorus	≤ 1 ppm (mg/L)
Surfactants, as MBAS	≤ 100 µg/L
Sulfates	≤ 250 mg/L
Chlorides	≤ 250 mg/L
Other Pathogenic Organisms	Waters shall be free from other pathogenic organisms different to coliforms.
Total Ammonia	Shall not exceed 1 mg/L upstream from the points given by the coordinates of the following segments: Rio Cibuco 18°21'13" 66°20'07" Rio Hondo 18°26'13" 66°09'36" Rio Guaynabo 18°22'32" 66°07'59" Rio Bayamon 18°24'39" 66°09'09" Rio Piedras 18°24'34" 66°04'10" Quebrada Blasina 18°23'27" 65°58'28" Rio Caguitas 18°15'11" 66°01'26" Rio Bairoa 18°15'28" 66°02'13" Rio Chico 17°59'16" 66°00'18" Rio Coamo 18°03'52" 66°22'10" Rio Guayanilla 18°00'50" 66°47'04" Rio Guanajibo 18°07'18" 67°03'56"

The control measures currently in place and described in this document intend to meet the water quality standards described above. If at any time ESJI becomes aware that its stormwater discharges do not meet the water quality standards promulgated by the EQB, corrective actions will be undertaken to apply new controls that will ensure the standards are met.

[Note: For details on the water quality standards promulgated by the EQB, please refer to the regulation which can be found at www.jca.pr.gov.]

7.4 Impaired Water Monitoring

The ESJI facility discharges its stormwater into Rio Lajas, which has been identified as an impaired waterway by the EQB and EPA see **Appendix 7**.

According to Section 6.2.4 of the permit, each stormwater outfall, which discharges into impaired waters will be monitored for the pollutants for which the waterbody is impaired. The table below includes a list of the parameters which have been determined to be causes of impairment for the receiving water by the EQB and the EPA.

Table 9. Impaired Water Monitoring Parameters

Causes of impairment	TMDL Status	Parameter to be sampled	Sampling Frequency	Outfalls to be sampled
Arsenic	needed	Arsenic	Once a year	001, 002
Dissolved Oxygen	needed	Copper	Once a year	001, 002
Cyanide	needed	Cyanide	Once a year	001, 002
Surfactants	needed	Surfactants	Once a year	001, 002
Fecal Coliforms	Non-pollutant impairment	Fecal Coliforms	Once a Year	001, 002

7.4.1 When to discontinue monitoring

Each outfall will be monitored once per year to detect the impaired pollutants listed above. Monitoring can be discontinued if:

1. The pollutant for which the waterbody is impaired is not detected.
2. The pollutant is not detected above natural background levels and it can be documented that the pollutant is not expected to be above natural background levels.

3. The pollutant is present but it can be determined that its presence is caused solely by natural background levels.

To support a determination that the presence of the pollutant is due to natural background sources, the following information must be prepared and maintained with the SWPPP:

- An explanation of why the presence of the pollutant causing impairment in the discharge is not related to the activities or materials at your facility.
- Data and/or studies that tie the presence of the pollutant causing impairment in the discharge to natural background sources in the watershed.

7.4.2 Collection of Samples

Sample collection will be performed during a measureable storm event, as described in section 6.3

7.4.3 Reporting Impair Water Monitoring

All records of impaired water monitoring, including analytical results, chain of custody and all additional documentation must be kept for reference purposes. Results will be reported electronically, refer to section 10.1 of this document.

7.5 Monitoring Protocols

ESJI has selected SANCO Laboratory to perform all analytical monitoring for the site. The laboratory will provide sampling collection and handling as well as analytical protocols. These will be provided in a separate document and available for revision upon request.

8.0 Documentation to Support Eligibility Considerations Under Other Federal Laws

8.1 Endangered and Threatened Species and Critical Habitat Protection

In order to determine if any species in the action area would be affected by the activities related to stormwater management on the site, the *Caribbean Endangered Species Map*, 2015 revision, published by the U.S Fish and Wildlife Service was consulted. This information provides a list of the species that are listed as either endangered or threatened, as well as those whose critical habitat is located within the Dorado area of Puerto Rico. Among all the species listed, the only specie that is likely to occur in the immediate action area is the Puerto Rican Boa (*Epicrates inornatus).* Other species that may be found in the action area include plant species in the Rio Lajas basin, which may include *Daphnopsis hellerana* and *Banara vanderbiltii.* Costal zones in Dorado have been determined as critical habitat for two species: *Dermochelys coriacea* (leatherback sea turtle) and *Eretmochelys imbricate* (hawksbill sea turtle).

ESJI is located within the Municipality of Dorado. The Quarry Site is classified in geological terms as "karsic or limestone zone". This area is characterized by formations known as limestone hills or "mogotes", the principal raw material for extraction. According to the information published by the FWS, there are no areas determined as critical habitat in the property of ESJI.

The Department of Natural and Environmental Resources (DNER) outlined that in the karst region of northwestern Puerto Rico is the most likely habitat for the Puerto Rican Boa. ESJI verified all the information available from DNER related to the specie and has concluded that there is no reason to believe that the implementation of stormwater control measures and the stormwater discharges from the site will affect the listed species that may be found in the action area.

In order to confirm this conclusion, a consultation to the Fish and Wildlife Service was initiated via letter, which was delivered to the agency on August 28, 2015. However, the agency never issued a direct reply to this letter. On August 28, 2015, the agency issued a blanket letter to include projects which were seeking renewal of stormwater NPDES "under current operation if the water discharge is maintained within the Water Quality Standards authorized by the Puerto Rico Environmental Quality Board." It was assumed at the time

that this letter also covered ESJI's request for consultation. However, this letter also states coverage under this letter will be effective until September 30, 2010. A copy of the letter sent to FWS, evidence of delivery of this letter, and the letter subsequently issued by the FWS area included for reference in **Appendix** 8.

The extraction of materials is limited to only the active area, which is provided with a buffer zone. In this area, explosives are used in a controlled manner, whenever necessary. The explosions require a maximum vibration limit of 0.5 inches per second. This limitation helps to prevent damage to areas outside the active areas, thus preventing harm to other species in the nearby areas.

Based on the measures in place, ESJI it was concluded that the daily operation is not likely to adversely affect any listed threatened or endangered species or designated critical habitat within the Dorado area.

8.1.1 Protocol for Protection of Endangered Species: Puerto Rican Boa

In order to comply with requirements for the Endangered Species, ESJI has implemented a protocol for management of the Puerto Rican Boa within the quarry activities. This protocol will only be applied when ESJI intends to clear areas which have vegetation. Once the vegetation is removed, the areas will not require this protocol because the specie is unlikely to inhabit the area.

All persons that will work in an area which requires vegetation removal will participate, with anticipation to the commencement of activities, in a talk about the species that will be provided by personal that is capacitated to do so. The talk will cover the following information:

1. General information of the species, pictures (information on its habitat, lack of venom, oil myths, identification, benefits of the specie to society and ecosystems, laws and regulations that protect it, penalties that involve its handling, others).
2. Literature with pictures.
3. Procedures to follow if a species is encountered (written or oral notifications).
4. List of persons and/or offices to call in case a species is identified and the manner in which it may be identified, and relocated if it is a boa in nearby areas (see below).

The individual sighted will be relocated only by qualified personnel within 24 hrs after the identification.

5. Identify the persons in charge of reporting the identification of the species in the area.
6. All personnel working in the area will participate in this type of talk.
7. Prior to removal of vegetation, visual inspection and walkthrough will be performed to try to locate the specie within the area.

In case a species is identified in the area during the removal of vegetation, the following steps should be taken:

1. Workers within a radius of 50 feet will stop all labor activities and will shut down the machinery.
2. The person that identified the individual will call for assistance and try to re-locate the serpent.
3. One person will keep the serpent under observation until the other is able to communicate with the person in charge of reporting the finding – see list below – (note: observation period will only be maintained during work hours of the personnel in the area).
4. The observer will maintain a distance of no less than 25 feet, more if possible, with the serpent to make the individual less aware of the presence of humans and prevent it from trying to hide. The serpent will be maintained under observation until the personal in charge of its relocation arrives at the scene.
5. The person in charge of the area will communicate via telephone, or designate someone to do so, with some the contact persons designated by ESJI.

In case of sighting of the specie, the following are the authorized contact persons:

Table 10. Contacts for Puerto Rican Boa Sighting

1. Juan Colón, PE	Environmental Manager and Emergency Coordinator	(787) 721-5878 ext. 280 (office) (787) 697-1554 (cellular)
2. Carlos J. Ayarza Real, PhD	Biologist	(787) 375-4212

8.2 Historic Properties

There are no historic properties in the immediate action area, which may be adversely affected by the implementation of the control measures or the discharges from the site. The facility has been in operation at this site for several years and thus has not affected, nor will it affect, any historic properties.

9.0 Corrective Actions

9.1 Conditions Requiring Correctives Actions

ESJI will revise practices delineated within this document and implement corrective actions if any of the following conditions occur:

- An unauthorized release or discharge occurs at the facility (e.g. spill, leak, or discharge of non-stormwater not authorized by this or another NPDES permit to a water of the U.S.) occurs at the facility. An unauthorized release or discharge occurs at the facility;
- A discharge violates a numeric effluent limit;
- A required control measure was never installed, was installed incorrectly, or not in accordance with parts 2 and/or 8 of the permit, or is not being properly operated or maintained.
- Whenever a visual assessment shows evidence of stormwater pollution;
- A discharges that violates water quality standards
- Upon becoming aware, or EPA determines, that control measures are not stringent enough for the discharge to meet applicable water quality standards;
- An inspection or evaluation of the facility by an EPA official, or local, State or Tribal entity, determines that modifications to the control measures are necessary to meet the non-numeric effluent limits in this permit;
- It is determined during a routine facility inspection, quarterly visual assessment, or comprehensive site inspection that control measures are not being properly operated or maintained; or
- The average of 4 quarterly sampling results exceeds an applicable benchmark. If less than 4 benchmark samples have been taken, but the results are such that an exceedance of the 4 quarter average is mathematically certain (i.e. if the sum of quarterly sample results to date is more than 4 times the benchmark level) this is considered a benchmark exceedance, triggering the review of the control measures.

- Also, selection, design, installation, and implementation of control measures will be reviewed to determine if modifications are necessary if construction or a change in design, operation, or maintenance at the facility significantly changes the nature of pollutants discharged in the stormwater or significantly increases the quantity of pollutants discharged.

9.2 Immediate Action

The term "immediately" requires that, on the same day a condition requiring corrective action is found, "all reasonable steps" are taken to minimize or prevent the discharge of pollutants until a permanent solution is installed and made operational. However, if a problem is identified at a time in the workday when it is too late to initiate corrective action, the initiation of corrective action must begin no later than the following work day. Note that immediate actions may be temporary.

"All reasonable steps" means that the permittee has undertaken initial actions to assess and address the condition causing the corrective action, including, for example, cleaning up any exposed materials that may be discharged in a storm event (e.g., through sweeping, vacuuming) or making arrangements (i.e., scheduling) for a new BMP to be installed at a later date. All conditions will be evaluated and documented for reference purposes. Actions may require modifications to the SWPPP.

9.3 Subsequent Actions

If, after completing immediate actions, it is determined by the ESJI responsible personnel that additional actions are necessary, subsequent actions (e.g., install a new or modified control and make it operational, complete the repair) must be scheduled and completed. Subsequent action must adhere to the following time frames:

- Complete implementation before the next storm event, if possible, and within 14 calendar days from the time of discovery of the corrective action condition.
- If it is infeasible to complete the corrective action within 14 calendar days, document why it is infeasible to complete the corrective action within the 14-day timeframe.
- ESJI must create a schedule for work completion, which must be completed as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery.
- If the completion of the corrective action will exceed the 45 day timeframe, ESJI may take the minimum additional time necessary to complete the corrective action. In this case, a notification will be made to the EPA Regional Office which will include:
    - the intention to exceed 45 days

- the rationale for an extension
- the completion date

- Notification information will be included in ESJI's records
- When corrective actions result in changes to any of the controls or procedures documented in this SWPPP, the plan must be modified accordingly within 14 calendar days of completing corrective action work.

These time intervals are not grace periods, but are schedules considered reasonable by the EPA for documenting findings and for making repairs and improvements. They are included in the permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely.

9.4 Documentation of Corrective Actions

Discovery of any conditions listed above will be documented within 24 hours. The documentation must include the following information:

- Description of the condition triggering the need for corrective action review. For any spills or leaks, include the following information: a description of the incident including material, date/time, amount, location, and reason for spill, and any leaks, spills or other releases that resulted in discharges of pollutants to waters of U.S., through stormwater or otherwise;
- Date the condition was identified;
- Description of immediate actions taken to minimize or prevent the discharge of pollutants. For any spills or leaks, include response actions, the date/time clean-up completed, notifications made, and staff involved. Also include any measures taken to prevent the reoccurrence of such releases (see Part 2.1.2.4); and
- A statement signed and certified in accordance with Appendix B, Subsection 11 of the permit.

When applicable, documentation will also include the reason why it is infeasible to complete the necessary installations or repairs within the 14-day timeframe and include the schedule

for installing the controls and making them operational as soon as practicable after the 14-day timeframe.

When the EPA is notified regarding an extension of the 45 day timeframe, ESJI will also document the rationale for such an extension.

Corrective action documentation does not need to be submitted to the EPA unless so requested by the agency. Findings must be summarized in the Annual Report. A form included in **Appendix 9** will be used for documenting corrective actions.

9.5 Procedures for Corrective and Preventive Actions

1. Identify problem, which needs to be corrected. The problem may be identified during a routine quarterly inspection, execution of maintenance tasks, or other non-scheduled task.
2. Evaluate if the problem falls into the following categories:
   - Unauthorized release or discharge (e.g. spill, leak, or discharge of non-stormwater not authorized by this or another NPDES permit to a water of the U.S.)
   - Discharge that is not authorized under section 1.1.3 of the permit;
   - Discharge violates a numeric effluent limit;
   - Discharge that violates water quality standards;
   - Control measures are not stringent enough for the discharge to meet applicable water quality standards or the non-numeric effluent limits in the permit;
   - A required control measure was never installed, was installed incorrectly, or is not being properly operated or maintained;
   - A visual assessment shows evidence of stormwater pollution;
3. If the answer is yes then an <u>immediate action</u> must be taken (continue to step 4). Otherwise, the situation may be categorized as a preventive action (go to step 10).
4. Determine, along with the adequate responsible personnel, which immediate actions will be taken to prevent continued or possible stormwater discharges. Please note that these may be temporary solutions.
   a. Identify which immediate action will be implemented <u>on the same day</u> the problem is identified.
   b. If it is too late in the workday, implementation must be completed early on the next day.
   c. Describe these immediate actions in the inspection sheet (if identified during an inspection) and/or in the corrective action log.

5. Determine, along with the adequate responsible personnel, which subsequent actions will be taken to eliminate the reoccurrence of the problem.
6. Describe subsequent or planned actions in the inspection sheet (if identified during an inspection) and/or the corrective action log.
    a. Provide the dates when each corrective action was or will be initiated and completed (or is expected to be completed). All subsequent actions must be completed within 14 days from the time of discovery of the problem.
7. If not feasible to complete corrective action within 14 days:
    a. Document the reason why it is infeasible to complete the necessary installations or repairs within the 14-day timeframe in the corrective action log
    b. Document the schedule for installing the controls and making them operational as soon as practicable after the 14-day timeframe, but before 45 days of the problem identification.
8. If more than 45 days are required;
    a. Notify the EPA Regional Office of the intention to exceed 45 days, the rationale for an extension, and the expected completion date.
9. If, after due investigation, it is determined that the corrective action is not necessary, document the basis of such decision within 14 days of the problem identification.
10. Preventive actions:

Determine, along with the adequate responsible personnel, the actions to eliminate the problem, provide timetable and include expected date of completion. Document this in the corrective action log.

9.6 Effect of Corrective Actions

Section 4.5 of the permit states that "if the event triggering the review or corrective action is a permit violation", correcting it does not remove the original violation. Additionally, failing to take corrective action in accordance with this section is an additional permit violation. EPA will consider the appropriateness and promptness of corrective actions in determining enforcement responses to permit violations."

10.0 Recordkeeping and Reporting

10.1 Electronic Reporting

The following reports must be submitted electronically:

- Notice of Intent (NOI)
- Notice of Termination (NOT)
- No Exposure Certifications (NOE)
- Annual Reports
- Discharge Monitoring Reports (DMRs) – for impaired waters

If unable to submit electronically, a waiver must be obtained from the EPA Regional Office based on one of the following conditions:

• If your headquarters is physically located in a geographic area (i.e., zip code or census tract) that is identified as under-served for broadband Internet access in the most recent report from the Federal Communications Commission; or

• If you have limitations regarding available computer access or computer capability.

Unless conditions at the facility change, the Clorox facility has no need for submitting a waiver.

Waivers are only granted for a one-time use for a single information submittal, i.e., an initial waiver does not apply for the entire term of the permit. If you need to submit information on paper after your first waiver, you must apply for a new waiver. However, waivers may be extended on a case-by-case basis by the EPA Regional Office.

If a waiver is required, a formal request will be submitted the EPA Regional Office:

U.S. EPA Region 2

Caribbean Environmental Protection Division

NPDES Stormwater Program

City View Plaza II – Suite 7000

48 Rd. 165 Km 1.2

Guaynabo, PR 00968-8069

The formal request must indicate the applicable exemption met, provide evidence supporting any claims, and a copy of the completed NOI form. A waiver may only be considered granted once written confirmation from EPA or its authorized representative is received.

Most information required to be submitted by this permit shall be submitted via EPA's electronic NPDES eReporting tool (NeT), unless the permit states otherwise or unless a waiver has been granted. NeT allows the user to prepare and submit required information using specific forms, found in the permit's appendices. To access NeT, go to http://water.epa.gov/polwaste/npdes/stormwater/Stormwater-eNOI-System-for-EPAs-MultiSector-General-Permit.cfm .

Information required to be submitted to EPA via NeT:

- Notice of Intent (NOI)
- Notice of Termination (NOT)
- No Exposure Certifications (NOE)
- Annual Reports

10.2 Recordkeeping

Records retention must be maintained in order to certify compliance with the SWPPP action items, such as inspections, monitoring events and training sessions. As a general rule, all records associated with the preparation and submittal of the Notice of Intent (NOI) and MSGP requirements, including copies of the SWPPP and all reports, certifications required by this permit, and records of all data must be kept for at least three (3) years after the permit coverage expires or is terminated.

The following constitutes a list items, that make up part of permit compliance and for which records should be maintained at hand. All references mention in these bullets refers to permit sections.

- A copy of the NOI submitted to EPA along with any correspondence exchanged between ESJI and EPA specific to coverage under this permit;
- A copy of the permit (an electronic copy easily available to SWPPP personnel is also acceptable);
- Descriptions and dates of any incidences of significant spills, leaks, or other releases that resulted in discharges of pollutants to waters of the U.S., through stormwater or otherwise; the circumstances leading to the release and actions taken in response to the release; and measures taken to prevent the recurrence of such releases;
- Records of employee training;

- Daily precipitation log;
- Documentation of maintenance and repairs of control measures;
- All Routine Facility Inspection Reports;
- All Quarterly Visual Assessment Reports;
- All Annual Reports;
- All Impaired waters monitoring data and reports;
- Description of any deviations from the schedule for visual assessments and/or monitoring, and the reason for the deviations (e.g., adverse weather or it was impracticable to collect samples within the first 30 minutes of a measurable storm event);
- Description of any corrective action taken at the site, including triggering event and dates when problems were discovered and modifications occurred;
- Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels related to discharge to impaired waters, and that such pollutants were not detected in the discharge or were solely attributable to natural background sources.

In addition, the following constitutes a list item, included listed in section 5.4 of the permit, that make up part of permit compliance and for which records should be maintained at hand. Any references mention in these bullets refers to permit sections and not to this document.

- A copy of the NOI submitted to EPA along with any correspondence exchanged between you and EPA specific to coverage under this permit;

- A copy of the acknowledgment letter you receive from the NOI Processing Center or eNOI system assigning your permit tracking number;

- A copy of the permit (an electronic copy easily available to SWPPP personnel is also acceptable);

- Descriptions and dates of any incidences of significant spills, leaks, or other releases that resulted in discharges of pollutants to waters of the U.S., through stormwater or otherwise; the circumstances leading to the release and actions taken in response to the release; and measures taken to prevent the recurrence of such releases (see Part 2.1.2.4);

- Records of employee training, including date training received (see Part 2.1.2.9);

- Documentation of maintenance and repairs of control measures, including the date(s) of regular maintenance, date(s) of discovery of areas in need of repair/replacement, and for repairs, date(s) that the control measure(s) returned to full function, and the justification for any extended maintenance/repair schedules (see Part 2.1.2.3);

- All inspection reports, including the Routine Facility Inspection Reports (see Part 4.1), the Quarterly Visual Assessment Reports (see Part 4.2), and the Comprehensive Site Inspection Reports (see Part 4.3);

- Description of any deviations from the schedule for visual assessments and/or monitoring, and the reason for the deviations (e.g., adverse weather or it was impracticable to collect samples within the first 30 minutes of a measurable storm event) (see Parts 4.2.1, 6.1.4, and 6.2.1.2);

- Description of any corrective action taken at your site, including triggering event and dates when problems were discovered and modifications occurred;

- Documentation of any benchmark exceedances and how they were responded to, including either (1) corrective action taken, (2) a finding that the exceedence was due to natural background pollutant levels, or (3) a finding that no further pollutant reductions were technologically available and economically practicable and achievable in light of best industry practice consistent with Part 6.2.1.2;

- Documentation to support any determination that pollutants of concern are not expected to be present above natural background levels if you discharge directly to impaired waters, and that such pollutants were not detected in your discharge or were solely attributable to natural background sources (see Part 6.2.4.2); and

Documentation to support your claim that your facility has changed its status from active to inactive and unstaffed with respect to the requirements to conduct routine facility inspections (see Part 4.1.3), quarterly visual assessments (see Part 4.2.3), and/or benchmark monitoring (see Part 6.2.1.3).

10.3 Reporting Monitoring Data

Discharge Monitoring Reports (DMR) are required to be submitted for analytical samples. DMR are required for ESJI for:

- Impaired Water Monitoring
- Benchmark Monitoring
- Effluent Limitation Guidelines Monitoring

All monitoring data collected must be submitted to EPA using EPA's NetDMR system (available at www.epa.gov/netdmr) 2 no later than 30 days after receiving all laboratory results for all otufalls. The monitoring requirements (i.e., parameters required to be monitored and sample frequency) should appear on the electronic Discharge Monitoring Report (DMR) form based on the information provided on the NOI form (through the NDPES eReporting tool (NeT)).

Accordingly, the following changes to the monitoring frequency must be reported to EPA through the submittal of a "Change NOI" form in NeT, which will trigger changes to to the monitoring requirements in NetDMR:

- All impaired waters monitoring requirements have been fulfilled for the permit term;

[2] unless a waiver from electronic reporting has been granted, in which case Clorox may submit a paper DMR form.

- Benchmark and/or impaired monitoring requirements no longer apply because your facility is inactive and unstaffed;

- Benchmark and/or impaired monitoring requirements now apply because your facility has changed from inactive and unstaffed to active and staffed;

Once monitoring requirements have been completely fulfilled, the facility is no longer required to report monitoring results using NetDMR. If the benchmark monitoring and/or impaired waters monitoring requirements have been partly fullfilled (e.g., the four quarterly average is below the benchmark for some, but not all, parameters; the facility did not detect some, but not all, impairment pollutants), the facility must continue to use NetDMR to report the results, but must report a "no data" or "NODI" code for any monitoring parameters that have been fulfilled.

In addition, all analytical monitoring data - which includes benchmark, effluent limitations guidelines, and impaired waters - will also be included in the quarterly monitoring reports that ESJI submits to the EPA, in compliance with the Consent Decree.

10.4 Annual Report

An Annual Report will be submitted electronically to the EPA by January 30th for each year of permit coverage. This report will contain information generated from the previous calendar year. The following information must be included:

- A summary of the previous year's routine facility inspection documentation.
- A summary of the previous year's quarterly visual assessment documentation.
- A summary of the previous year's corrective action documentation.
    - If corrective action is not yet completed at the time of submission of the annual report, you must describe the status of any outstanding corrective action(s). Also describe any incidents of noncompliance in the past year or currently ongoing, or if none, provide a statement that stating that the facility is compliance with the permit.
- A statement signed and certified in accordance with the Signatory Requirements of the 2015 MSGP (see Appendix B, Subsection 11 of the permit for details).

10.5 Additional Reporting

The facility is also subject to standard permit reporting provisions Appendix B, Subsection 12 and also must submit the following reports to its EPA Regional Office (Caribbean Field Office), as applicable and to the MS4 in which the facility discharges:

- 24-hour reporting – report any noncompliance which may endanger health or the environment. Any information must be provided orally within 24 hours from the time the facility becomes aware of the circumstances;

- 5-day follow-up reporting to the 24 hour reporting – A written submission must also be provided within five days of the time the facility becomes aware of the circumstances;

- Reportable quantity spills – provide notification (Verbally to National Response Center and state management agencies) as soon as you have knowledge of a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity;

- Planned changes – Give notice to EPA promptly, no fewer than 30 days prior to making any planned physical alterations or additions to the permitted facility that qualify the facility as a new source or that could significantly change the nature or significantly increase the quantity of pollutants discharged;

- Anticipated noncompliance – give advance notice to EPA of any planned changes in the permitted facility or activity which you anticipate will result in noncompliance with permit requirements;

- Compliance schedules – Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date;

- Other noncompliance – Report all instances of noncompliance not reported in the annual report, compliance schedule report, or 24-hour report at the time monitoring reports are submitted; and

- Other information – Promptly submit facts or information if the facility becomes aware that it failed to submit relevant facts in the NOI, or that it submitted incorrect information in the NOI or in any report.

10.6 Maintaining an Updated SWPPP

The SWPPP must be updated periodically to incorporate any changes in the potential storm water pollution sources as well as any necessary modifications or additions of BMPs. In general, updates to the SWPPP will be performed to address any of the triggering conditions for corrective actions listed in section 8.1 and to ensure that they do not reoccur, or to reflect changes implemented when a review indicates that changes to control measures are necessary to meet effluent limits in the permit.

In addition the appendices of the plan must be updated as new records, data, and reports are generated per MSGP requirement. The SWPPP Coordinator is responsible for completing these updates in a timely manner with the input of the SWPPT members. SWPPP modifications and a certification that the SWPPP changes have been implemented will be submitted to the EPA in Essroc's quarterly reports, according to the consent decree.

Modifications to this plan will be recorded in the log provided in **Appendix 10.**

10.7 SWPPP Document Availability

Copies of this SWPPP will be kept on-site for review at the time of an inspection or will be available upon request to local agencies approving storm water management plans. Copies of this plan may also be made available to the public if requested in writing. In addition, copies may be made available (upon request) to the United States Fish and Wildlife Service (FWS) and to the National Marine Fishery Service (NMFS

APPENDIXES